

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CIVIL CASE NO. 3:06CV435**

**PATRIC T. KENNEDY,**

**Plaintiff,**

**vs.**

**MICHAEL J ASTRUE,  
Commissioner of  
Social Security,**

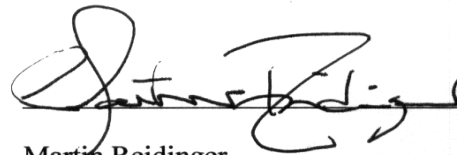
**Defendant.**


**ORDER**

**THIS MATTER** is before the Court on the Plaintiff's "Motion For Fees Under the Equal Access to Justice Act," filed on January 21, 2008. Defendant, through counsel, has consented to the motion of the Plaintiff and does not oppose an award in the amount of \$4,388.80 for attorney fees, provided this is the only petition filed by Plaintiff in this case under 28 U.S.C. §2412(d), and provided that the fees are to be paid to Plaintiff rather than directly to Plaintiff's counsel. For the reasons stated in the motion and attached Affirmation and with the consent of the Defendant, the motion will be granted.

**IT IS, THEREFORE, ORDERED** that the Plaintiff's "Motion For Fees Under the Equal Access to Justice Act," filed on January 21, 2008, is hereby **GRANTED**, and attorney's fees in the amount of \$4,388.80 shall be paid directly to Plaintiff.

**IT IS FURTHER ORDERED** that no additional petition pursuant to 28 U.S.C. §2412(d) shall be filed.

  
Martin Reidinger  
United States District Judge



Signed: February 11, 2008